

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 84-78

NPDES PERMIT NO. CA0028479

WASTE DISCHARGE REQUIREMENTS FOR:

WITCO CHEMICAL CORPORATION
U.S. PEROXYGEN DIVISION
RICHMOND, CONTRA COSTA COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter the Board) finds that:

1. Witco Chemical Corporation, U.S. Peroxygen Division, hereinafter called the discharger, filed an application, dated May 13, 1984, for reissuance of their NPDES Permit. The discharger is currently governed by Regional Board Order No. 79-123, an NPDES permit prescribing waste discharge requirements for stormwater runoff.
2. The discharger manufactures organic peroxides which are used in the production of plastics. Process wastes are treated and discharged to the collection system of the West Contra Costa Sanitary District. The discharger proposes to periodically discharge about 150,000 gallons per day of stormwater runoff from areas with some potential for contamination to a drainage ditch tributary to San Pablo Bay, 2 1/2 miles south of Pinole Point.
3. The Regional Board adopted a revised Water Quality Control Plan, San Francisco Bay Basin (Basin Plan) on July 21, 1982. The Basin Plan contains water quality objectives for San Pablo Bay.
4. The beneficial uses of San Pablo Bay and contiguous water bodies are:
 - a. Water contact recreation
 - b. Non-contact water recreation
 - c. Navigation
 - d. Open commercial and sport fishing
 - e. Wildlife habitat
 - f. Fish spawning and migration
 - g. Industrial uses
 - h. Preservation of rare and endangered species
 - i. Shellfishing
5. Effluent limitations established pursuant to Sections, 301, 304, and 307 of the Clean Water Act (CWA) are applicable to the discharge.
6. The action to adopt an NPDES permit is exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.), in accordance with Section 13389 of the California Water Code.

7. The Board has notified the discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for the proposed discharge and has provided them with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.
8. The Board in a public meeting heard and considered all comments pertaining to the discharge.

IT IS HEREBY ORDERED, that Witco Chemical Corporation, U. S. Peroxygen Division, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, and the provisions of the Federal Water Pollution Control Act, and regulations and guidelines adopted thereunder, shall comply with the following:

A. Effluent Limitations

1. The discharge shall not have a pH of less than 6.5 nor greater than 8.5.
2. In any representative set of samples, the waste as discharged shall meet the following limit of quality:

Toxicity: The survival of test organisms in 96-hour bioassays of the effluent shall be a median of 90% survival and a 90 percentile value of not less than 70% survival.

B. Receiving Water Limitations

1. The discharge of waste shall not cause the following conditions to exist to waters of the State at any place:
 - a. Floating, suspended, or deposited macroscopic particulate matter or foam;
 - b. Bottom deposits or aquatic growths;
 - c. Alteration of temperature, turbidity, or apparent color beyond present natural background levels;
 - d. Visible, floating, suspended, or deposited oil or other products of petroleum origin;
 - e. Toxic or other deleterious substances to be present in concentrations or quantities which will cause deleterious effects on aquatic biota, wildlife, or waterfowl, or which render any of these unfit for human consumption either at levels created in the receiving waters or as a result of biological concentration.
2. The discharge of waste shall not cause the following limits to be exceeded in waters of the State in any place within one foot of the water surface:

- a. Dissolved oxygen 5.0 mg/l minimum - median for any three consecutive months not less than 80% saturation. When natural factors cause lesser concentration(s) than specified above, then discharge shall not cause further reduction in the concentration of dissolved oxygen.
 - b. pH Variation from natural ambient pH by more than 0.5 pH units.
3. The discharge shall not cause a violation of any applicable water quality standard for receiving waters adopted by the Board or the State Water Resources Control Board as required by the Clean Water Act and regulations adopted thereunder. If more stringent applicable water quality standards are promulgated or approved pursuant to Section 303 of the Clean Water Act, or amendments thereto, the Board will revise and modify this Order in accordance with such standards.

C. Discharge Prohibitions

- 1. The discharge of process wastes to waters of the State is prohibited.
- 2. The discharge of material spills to waters of the State is prohibited. Spills shall be promptly cleaned up so as to prevent mixing with subsequent stormwater runoff.
- 3. The discharge of stormwater runoff generated by the first inch of rainfall of the wet weather season is prohibited.

D. Provisions

- 1. All stormwater to be discharged from potentially contaminated areas shall be diverted to the holding pond and checked for compliance with permit limits as specified in the Self-Monitoring Program prior to discharge.
- 2. Neither the discharge nor its treatment shall create a nuisance or pollution as defined in Section 13050 of the California Water Code.
- 3. The Discharger shall comply with a Self-Monitoring Program as adopted by the Regional Board, and as may be amended by the Executive Officer.
- 4. The requirements prescribed herein do not authorize the commission of any act causing injury to property of another, nor protect the Discharger from his liabilities under federal, state or local laws, nor guarantee the discharger a capacity right in the receiving waters.

5. In the event of any change in control or ownership of land or waste, the Discharger shall notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be forwarded to this office.
6. The Discharger shall permit the Regional Board:
 - (a) Entry upon premises where an effluent source is located or in which any required records are kept;
 - (b) Access at reasonable times to copy any records required to be kept under terms and conditions of this Order;
 - (c) Sampling at reasonable times of any discharge.
7. The Discharger shall maintain in good working order and operate as efficiently as possible any facility or control system installed by the Discharger to achieve compliance with the waste discharge requirements.
8. After notice and opportunity for a hearing, this Order may be modified, suspended, or revoked, in whole or in part, during its term for cause including, but not limited to, the following:
 - (a) Violation of any terms or conditions of this Order;
 - (b) Obtaining this Order by misrepresentation or failure to disclose fully all relevant facts;
 - (c) A temporary or permanent reduction or elimination of the authorized discharge; or,
 - (d) A change in character, location or volume of discharge.
9. This permit shall be modified or alternatively revoked and reissued to comply with any applicable effluent standard or limitation issued or approved under Sections 301(b)(2)(c), and (D), 303, 304(b)(2), and 307(a)(2) of the Clean Water Act, if the effluent standard or limitation so issued or approved:
 - (a) Contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or,
 - (b) Controls any pollutant not limited in the permit.

The permit as modified or reissued under this paragraph shall also contain any other requirements of the Act then applicable.
10. All applications, reports, or information submitted to the Regional Board shall be signed and certified pursuant to Environmental Protection Agency regulations (40 CFR 122.41K).

11. Pursuant to Environmental Protection Agency regulations [40 CFR 122.42(a)] the Discharger must notify the Regional Board as soon as it knows or has reason to believe (1) that they have begun or expect to begin, use or manufacture of a pollutant not reported in the permit application, or (2) a discharge of a toxic pollutants not limited by this permit has occurred, or will occur, in concentrations that exceed the specified limits.
12. The discharger shall comply with all provisions of this order immediately upon adoption.
13. Order No. 79-123 is hereby rescinded.
14. This Order expires on October 17, 1989 and the discharger must file a Report of Waste Discharge in accordance with Title 23, California Administrative Code, not later than 180 days in advance of such date as application for issuance of new waste discharge requirements.
15. This Order shall serve as a National Pollutant Discharge Elimination System permit pursuant to Section 402 of the Federal Water Pollution Control Act or amendments thereto, and shall take effect at the end of 10 days from date of adoption provided the Regional Administrator, Environmental Protection Agency, has no objections.

I, Roger B. James, Executive Officer, do hereby certify the foregoing is a full, true and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on November 21, 1984.

ROGER B. JAMES
Executive Officer

Attachments:
SMP

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

TENTATIVE SELF-MONITORING PROGRAM

FOR

WITCO CHEMICAL CORPORATION
U. S. PEROXYGEN DIVISION
RICHMOND, CONTRA COSTA COUNTY

PART A

A. GENERAL

Reporting responsibilities of waste dischargers are specified in Sections 13225(a), 13267(b), 13268, 13383, and 13387(b) of the California Water Code and this Regional Board's Resolution No. 73-16.

The principal purposes of a monitoring program by a waste discharger, also referred to as self-monitoring program, are: (1) to document compliance with waste discharge requirements and prohibitions established by this Regional Board, and (2) to facilitate self-policing by the waste discharger in the prevention and abatement of pollution arising from waste discharge.

B. SAMPLING AND ANALYTICAL METHODS

Sample collection, storage, and analyses shall be performed according to the latest edition of Standard Methods for the Examination of Water and Wastewater prepared and published jointly by the American Public Health Association, American Water Works Association, and Water Pollution Control Federation, or other methods approved and specified by the Executive Officer of this Regional Board including the methods specified in attached Appendix A.

Commercial Laboratory Analyses

Water and waste analyses shall be performed by a laboratory previously approved for these analyses by the State Department of Health. The director of the laboratory whose name appears on the certification shall supervise all analytical work in his laboratory and shall sign all reports of such work submitted to the Regional Board.

In-house Laboratory Analyses

The Board will accept analytical data from an in-house laboratory which is not currently certified if the discharger agrees in writing to: (1) perform all analyses in accordance with the latest edition of "Guidelines Establishing Test Procedures for Analysis of Pollutants promulgated by the U.S. Environmental Protection Agency; (2) implement and maintain a satisfactory quality assurance program, (comparable to State Department of Health Services Standards); (3) demonstrate a good agreement in analytical results with those of a previously certified

laboratory in split sampling; and (4) become certified within a reasonable time if the State certification program is reinstated.

All monitoring instruments and equipment shall be properly calibrated and maintained to ensure accuracy of measurements.

C. DEFINITIONS OF TERMS

1. A grab sample is defined as an individual sample collected in fewer than 15 minutes.
2. A composite sample is a combination of individual samples obtained at equal time intervals over the specified sampling period. The volume of each individual sample is proportional to the discharge flow rate at the time of sampling.

D. SCHEDULE OF SAMPLING, ANALYSES, AND OBSERVATIONS

The discharger is required to perform observations, sampling, and analyses according to the schedule in Part B.

E. RECORDS TO MAINTAINED

1. Written reports shall be retained by the discharger(s) for a minimum of three years. This period of retention shall be extended during the course of any unresolved litigation regarding this discharge or when requested by the Regional Board. Such records shall show the following for each sample:
 - a. Identity of sampling and observations stations by number.
 - b. Date and time of sampling and/or observations.
 - c. Date that analyses are started and completed, and name of personnel performing the analyses.
 - d. Complete procedure used, including method of preserving sample and identity and volumes of reagents used. A reference to a specific section of Standard Methods, and EPA method, or approved alternate method from (B) above is satisfactory.
 - e. Results of analysis and/or observations.

F. REPORTS TO BE FILED WITH THE REGIONAL BOARD

1. Written self-monitoring reports shall be filed monthly (unless specified otherwise in Part B). In addition, an annual report shall be filed as indicated in F-1-f. The reports shall be comprised of the following.

a. Letter of Transmittal:

A letter transmitting self-monitoring reports should accompany each report. Such a letter shall include a discussion of requirement violations found during the past month and actions taken or planned for correcting violations, such as plant operation modifications and/or plant facilities expansion. If the discharger has previously submitted a detailed time schedule for correcting requirement violations, a reference to the correspondence transmitting such schedule will be satisfactory. Monitoring reports and the letter transmitting reports shall be signed by a principal executive officer at the level of vice-president or his duly authorized representative if such representative is responsible for the overall operation of the facility from which the discharge originates. The letter shall contain a statement by the official, under penalty of perjury, that to the best of the signer's knowledge the report is true and correct.

b. Compliance Evaluation Summary

Each report shall be accompanied by a compliance evaluation summary sheet prepared by the discharger. The report format shall be approved by the Executive Officer.

c. Map or Aerial Photograph

A map or aerial photograph shall accompany the report showing sampling and observation station locations.

d. Results of Analyses and Observations

Tabulations of the results from each required analysis or observations specified in Part B by date, time, type of sample, and station, signed by the laboratory director. The report format shall be approved by the Executive Officer.

e. List of Approved Analyses

List of analyses performed for the discharger by another approved laboratory currently or previously approved by the State Department of Health Service (and copies of reports signed by the laboratory director of that laboratory shall also be submitted as part of the report).

f. Annual Reporting

By January 31 of each year, the discharger shall submit an annual report to the Regional Board covering the previous calendar year. The report shall contain both tabular and graphic summaries of the monitoring data obtained during the previous year. In addition, the report shall contain a comprehensive discussion of the compliance record and the

corrective actions taken or planned which may be needed to bring the discharger into full compliance with the waste discharge requirements. The report format shall be approved by the Executive Officer and should be maintained and submitted with each regular self-monitoring report.

PART B

DESCRIPTION OF SAMPLING STATIONS AND SCHEDULE OF ANALYSIS AND OBSERVATIONS

I. Sampling Station Location/Description

A. Holding Pond

<u>Station</u>	<u>Description</u>
HP-001	At a point in the holding pond representative of water to be discharged.

B. Effluent

<u>Station</u>	<u>Description</u>
E-001	At any point in the outfall from the holding pond.

II. Monitoring

The following shall constitute the monitoring program:

<u>Station</u>	<u>Constituent</u>	<u>Units</u>	<u>Type of Sampling</u>	<u>Minimum Frequency of Analysis</u>
HP-001	pH Toxicity	pH units % survival	grab composite	daily during discharge monthly(1)
E-001	Flow	mgd	-	daily

(1) Determine toxicity of accumulated stormwater prior to first discharge of wet weather season.

I, Roger B. James, Executive Officer, hereby certify that the foregoing Self-Monitoring Program:

1. Has been developed in accordance with the procedure set forth in this Regional Board's Resolution No. 73-16 in order to obtain data and document compliance with waste discharge requirements established in Regional Board Order No. 84-78.
2. Is effective on the date shown below.
3. May be reviewed at any time subsequent to the effective date upon written notice from the Executive Officer or request from the discharger, and revisions will be ordered by the Executive Officer.

ROGER B. JAMES
Executive Officer

Effective Date